

## **CHAPTER 27.26**

### **O-2 SUBURBAN OFFICE DISTRICT**

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This district is intended to provide a redeveloping area, primarily of office uses in those suburban areas previously zoned O-1 Office District and those fronting on the same street, with the same side lot lines and within 150 feet of the following districts: B-1, B-3, B-4, H-2, H-3, and I-1. This district is intended as a transition zone where it abuts the previously mentioned districts. (Ord. 12701 §5; October 2, 1979).

#### **27.26.010 Scope of Regulations.**

The regulations set forth in this chapter, or set forth elsewhere in this title when referred to in this chapter, are the regulations in the O-2 Suburban Office District. (Ord. 12571 §228; May 8, 1979).

#### **27.26.020 Permitted Uses.**

A building or premises shall be permitted to be used for the following purposes in the O-2 Suburban Office District:

- (a) Office buildings;
- (b) Parks, playgrounds, and community buildings, owned or operated by a public agency;
- (c) Public libraries;
- (d) Public elementary and high schools, or private schools having a curriculum equivalent to a public elementary or public high school, and having no rooms regularly used for housing or sleeping purposes;
- (e) Churches;
- (f) Nonprofit religious, educational, and philanthropic institutions;
- (g) Banks, savings and loans, credit unions, and finance companies;
- (h) Barber shops, beauty parlors, and shoeshine shops;
- (i) Tailor shops, shoe repair shops, upholstery shops, printing and photocopying shops, or other, similar business establishments; however, that portion of the premises of such business establishments not devoted to sales or office space shall not exceed 5,000 square feet of floor area;

(j) Adult care centers. (Ord. 18346 §2; April 26, 2004: prior Ord. 16767 §1; April 10, 1995: Ord. 13466 §1; September 20, 1982: Ord. 12679 §3; September 4, 1979: Ord. 12571 §229; May 8, 1979).

#### **27.26.030 Permitted Conditional Uses.**

Any building or premises may be used for the following purposes in the O-2 Suburban Office District in conformance with the conditions prescribed herein:

- (a) Dwellings, provided that:
  - (1) Dwellings shall only be permitted above the first story of a building;
  - (2) The first story shall be used for a nondwelling use permitted in the district;
  - (3) Said nondwelling use shall not:
    - (i) be accessory to the residential use;
    - (ii) be a parking lot or garage;
  - (4) Said first story shall not have more than twenty percent of its height below grade.
- (b) Photography studios, provided that said studios be used only for the taking of photographs and the development of photographs taken by the owner or employees of the studio.
- (c) Parking lots, provided that no part of the frontage within the block face on which a parking lot is proposed is zoned residential.
- (d) Early childhood care facilities with a maximum of fifteen children present at any time:
  - (1) Such facilities shall comply with all applicable state and local early childhood care requirements;
  - (2) Such facilities shall comply with all applicable building and life safety code requirements;
  - (3) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood care facilities;
  - (4) Such facilities must receive a conditional use permit from the Department of Building and Safety. (Ord. 16854 §23; August 14, 1995: prior Ord. 15522 §1; April 16, 1990: Ord. 13579 §1; May 2, 1983: Ord. 12571; §230; May 8, 1979).

#### **27.26.040 Permitted Special Uses.**

A building or premises may be used for the following purposes in the O-2 Suburban Office District if a special permit for such use has been obtained in conformance with the requirements of Chapter 27.63:

- (a) Broadcast towers;
- (b) Expansion of nonconforming uses;
- (c) Historic preservation;
- (d) Public utility purposes;
- (e) Wind energy conversion systems;
- (f) Outdoor seasonal sales;
- (g) Certain parking lots as defined in Chapter 27.63;
- (h) Mail order catalog sales;

(i) Early childhood care facilities with sixteen or more children, or with fifteen or fewer children not meeting the specified conditions for a permitted conditional use under Section 27.26.030;

(j) Private schools. (Ord. 17254 § 1; October 6, 1997; prior Ord. 16854 §24; August 14, 1995: Ord. 16606 §1; May 9, 1994: Ord. 16144 §2; July 6, 1992: Ord. 15522 §2; April 16, 1990: Ord. 14780 §10; November 2, 1987: Ord. 13980 as amended by Ord. 14123 §2; June 3, 1985: Ord. 13588 §10; May 9, 1983: Ord. 12978 §12; August 25, 1980: Ord. 12894 §12; April 7, 1980: Ord. 12571 §231; May 8, 1979).

**27.26.050 Accessory Uses.**

Accessory uses permitted in the O-2 Suburban Office District are accessory buildings and uses customarily incident to the permitted uses. (Ord. 12571 §232; May 8, 1979).

**27.26.060 Parking Regulations.**

All parking within the O-2 Suburban Office District shall be regulated in conformance with the provisions of Chapter 27.67. (Ord. 12571 §233; May 8, 1979).

**27.26.070 Sign Regulations.**

Signs within the O-2 Suburban Office District shall be regulated in conformance with the provisions of Chapter 27.69. (Ord. 12571 §234; May 8, 1979).

**27.26.075 Grading and Land Disturbance Regulations.**

Grading and land disturbance within the O-2 Suburban Office District shall be regulated in conformance with the provisions of Chapter 27.81. (Ord. 17618 §13; February 22, 2000.)

**27.26.080 Height and Area Regulations.**

The maximum height and minimum lot requirements within the O-2 Suburban Office District shall be as follows:

- (a) General requirements:

*(See following page)*

**Table 27.26.080(a)**

	Lot Area (Sq. ft.)	Frontage	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
Dwelling	4,000	50'	30' or same as abutting residential district whichever is lesser	10'	40'	25'
Dwelling, two-family	4,000	50'		10'	40'	25'
Other Permitted Uses	Less than 15,000	50'		10', **	40'	25'
	15,000 and over	100'		20', **	40'	25'
*	When a side or rear yard abuts a residential district, it shall be screened in conformance with the landscape design standards adopted by the City of Lincoln.					
**	0' when abutting a commercial or industrial district.					

(b) There shall be a required front yard on each street side of a double-frontage lot.

(c) There shall be a required front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record on November 2, 1953, need not be reduced to less than thirty-five feet except where necessary to provide a required side yard of not less than five feet in place of one of the required front yards;

(d) Open space requirements for residential use: A minimum amount of usable and accessible open space must be provided for each residential use. This requirement shall be as follows:

- 125 square feet for the first dwelling unit;
- 80 square feet per unit for the next four dwelling units;
- 25 square feet per unit for the next four dwelling units;
- 20 square feet per unit for each additional dwelling unit beyond nine.

This open space requirement may be met in the following manner:

(1) The required rear yard may be counted; however, the required front and side yards may not be counted toward fulfillment of said open space requirement; except for porches, terraces, and balconies as permitted in Sections 27.71.100 and 27.71.110;

(2) Parking spaces and land occupied by any building or structure may not be counted toward fulfillment of this open space requirement;

(3) This required open space may be provided either on a balcony four or more feet in depth or on a rooftop, provided that the roof is designed and surfaced in such a manner that

it may be developed with areas of planting, open space, recreation and other uses that are consistent with similar uses in ground-level side and rear yards for dwellings. Such rooftop areas may not be occupied by structures such as vents, exhaust intakes, or other mechanical devices, except where they do not interfere with the usable nature of the open space;

(4) The depth-to-width ratio of any area used to fulfill the open space requirement may not exceed three to one, if the smallest dimension of the open space is twelve feet or less;

(e) Accessory buildings which are attached to or are located not more than ten feet from the main structure shall be considered a part of the main structure and shall comply with the height, and front, side, and rear yard requirements of the main structure. Accessory buildings not a part of the main structure may be located in the required rear yard if such yard does not abut a residential district, but such accessory buildings may not occupy more than thirty percent of the required rear yard and shall not be nearer than two feet to any side or rear lot line. Such detached accessory buildings shall not exceed fifteen feet in height. Accessory buildings not a part of the main structure, if located not less than sixty feet from the front lot line, may extend into the required side yard though not nearer than two feet to the side lot line. A garage which is entered from an alley shall not be located closer than ten feet to the alley line;

(f) Dwellings existing in this district on the effective date of this title which do not meet the requirements of this chapter shall be considered nonstandard uses in conformance with the provisions of Chapter 27.61. (Ord. 12894 §13; April 7, 1980: prior Ord. 12751 §10; November 5, 1979: Ord. 12657 §5; August 6, 1979: Ord. 12571 §235; May 8, 1979).

#### **27.26.090 Extension Beyond Abutting Business or Industrial District; Open Space Requirement.**

Whenever an O-2 zoning district extends further from the street than an abutting B-1, B-3, B-4, H-2, H-3, or I-1 district, then no building, structure, parking, nor access drive shall be permitted further from the street than the adjacent boundary line that is parallel to the street of the abutting B-1, B-3, B-4, H-2, H-3, or I-1 district. That portion of the O-2 district further from the street than the B-1, B-3, B-4, H-2, H-3, or I-1 districts shall be maintained as open space and have landscaping improvements, such as trees, shrubs, grasses, paths, fountains, or benches. If the B-1, B-3, B-4, H-2, H-3, or I-1 district is located on a corner and the O-2 district completely bounds the B-1, B-3, B-4, H-2, H-3, or I-1 district, the open space may be included as part of the required rear yard even though each owner of the open space may not have the required depth for the required rear yard; provided, there is joint agreement between the property owners, satisfactory to the Director of Building and Safety, for the development and maintenance of the open space. (Ord. 12818 §1; January 21, 1980).